

JC05 Rec'd PTO 06 OCT 2005

10191/3819

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **SCHMOLLNGRUBER et al.**  
International Application No. : **PCT/DE03/02145**  
International Filing Date : **June 27, 2003**  
U.S. Serial No. : **10/523,252**  
For : **GMR SENSOR ELEMENT AND ITS USE**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed September 9, 2005), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

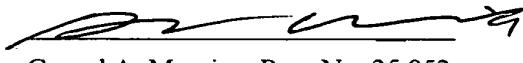
The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and any additional fees to Deposit Account No. 11-0600.

The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

10/17/2005 ATRAN1 00000010 110600 10523252  
01 FC:1617 130.00 DA

Respectfully submitted,  
KENYON & KENYON

Date: 10/6/05

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
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[www.uspto.gov](http://www.uspto.gov)

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/523,252                  | Peter Schmollngruber  | 10191/3819       |

INTERNATIONAL APPLICATION NO.

PCT/DE03/02145

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 06/27/2003       | 07/26/2002    |

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 8309  
 371 FORMALITIES LETTER  
 \*OC000000016833006\*  
 \*OC000000016833006\*

Date Mailed: 09/09/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/26/2005
- English Translation of the IA filed on 01/26/2005
- Copy of the International Search Report filed on 01/26/2005
- Preliminary Amendments filed on 01/26/2005
- Information Disclosure Statements filed on 01/26/2005
- Oath or Declaration filed on 01/26/2005
- Request for Immediate Examination filed on 01/26/2005
- U.S. Basic National Fees filed on 01/26/2005
- Substitute Specification filed on 01/26/2005
- Priority Documents filed on 01/26/2005
- Specification filed on 01/26/2005
- Claims filed on 01/26/2005
- Abstracts filed on 01/26/2005
- Drawings filed on 01/26/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or déclaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

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Telephone: (703) 308-9140 EXT 214

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**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/523,252                  | PCT/DE03/02145                | 10191/3819       |

FORM PCT/DO/EO/905 (371 Formalities Notice)